

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1008 be amended to read as follows:

- 1 Page 31, line 34, delete "." and insert ", including a requirement
2 **that noncompliance with subdivision (9):**
3 **(A) terminates the public-private agreement;**
4 **(B) terminates any leases, licenses, franchises, easements, and**
5 **other grants of property interests between the authority and**
6 **the operator that relate to the public-private agreement;**
7 **(C) requires the transfer to the authority of any property**
8 **that is part of the project; and**
9 **(D) releases the state and the authority from making any**
10 **payment or paying any penalty to the operator or another**
11 **party in connection with the termination or return of**
12 **property to the authority, including any payment under**
13 **section 3(11) of this chapter and the repayment of any grant,**
14 **loan, line of credit, or guarantee received or entered into for**
15 **the benefit of the operator."**
16 Page 31, between lines 37 and 38, begin a new line block indented
17 and insert:
18 **"(9) A requirement that the operator make substantial**
19 **fundamental improvements to the project's roads and**
20 **bridges in an amount that is equal to at least two hundred**
21 **percent (200%) of the annualized revenues paid or otherwise**
22 **shared with the authority.**
23 **(10) A requirement that the operator submit an annual**
24 **report to the authority demonstrating compliance with**
25 **subdivision (9)."**
26 Page 57, line 2, delete "." and insert ", including the grounds for
27 **termination described in section 12 of this chapter."**
28 Page 62, between lines 2 and 3, begin a new paragraph and insert:
29 **"Sec. 12. The public-private agreement for each project must**

1 provide that:
2 (1) the operator is obligated to make substantial fundamental
3 improvements to the project's roads and bridges in an
4 amount that is equal to at least two hundred percent (200%)
5 of the annualized revenues paid or otherwise shared with the
6 authority in connection with the project;
7 (2) the operator is obligated to submit an annual report to
8 the authority demonstrating compliance with subdivision (1);
9 and
10 (3) noncompliance with subdivision (1):
11 (A) terminates the public-private agreement;
12 (B) terminates any leases, licenses, franchises, easements,
13 and other grants of property interests between the
14 authority and the operator that relate to the
15 public-private agreement;
16 (C) requires the transfer to the authority of any
17 property that is part of the project; and
18 (D) releases the state and the authority from making any
19 payment or paying any penalty to the operator or
20 another party in connection with the termination or
21 return of property to the authority, including
22 compensation under section 1(b)(8)(F) of this chapter
23 and the repayment of any grant, loan, line of credit, or
24 guarantee received or entered into for the benefit of the
25 operator."

(Reference is to HB 1008 as printed January 26, 2006.)

Representative HARRIS E